

R E M A R K S

Status of Claims

In the Office Action mailed October 23, 2002, the Examiner noted that Claims 1-16, 18-27, 29-33, 35-53 and 55-59 are pending in the application as a result of a Preliminary Amendment entered May 17, 2002. All pending Claims were rejected. In addition, the numbering of Claims were noted as incorrect, and the Abstract and Claims were required to be resubmitted on pages separate from the rest of the specification. The informalities, requirements, and rejections are addressed separately below.

Numbering of Claims

On Page 2, Item 1 of the Office Action, the Examiner noted that Claims 54 and 55 were incorrectly numbered in the Preliminary Amendment entered May 17, 2002. Claims 54 and 55 as submitted in the Preliminary Amendment are hereby renumbered 56 and 57, respectively.

Specification

On Page 2, Item 1 of the Office Action, the Abstract was determined to be objectionable due to the fact that it was not submitted with the application on a separate sheet of paper. An Abstract on a separate sheet of paper as required under 37 C.F.R. 1.52(b)(4) is resubmitted at the end of this paper to overcome this informality.

Also, on Page 2, Item 1 of the Office Action, the Claims were required to be resubmitted on sheets separate from the specification. By the present Amendment, the Claims as now amended are resubmitted in this Amendment starting on a sheet separate from the remainder of the specification. Thus, it is submitted that the Office Action requirements pertaining to the Abstract and Claims have now been satisfied.

Rejection of Claims 2-8 and 49 under 35 U.S.C. §112, Second Paragraph

On Pages 2-3, Items 2-5 of the Office Action, Claims 2-8 and 49 were rejected under 35 U.S.C. § 112, Second Paragraph. By the present Amendment, it is submitted that Claims 2-8 and 49 have been amended as suggested by the Examiner to overcome the rejection. Withdrawal of the rejection is requested.

Rejection of Claims 9-11 and 25-26 under 35 U.S.C. §102(e) based on the Olbricht patent (U.S. Patent No. 6,429,952)

On Pages 4-5, Items 6-7 of the Office Action, Claims 9-11 and 25-26 were rejected under 35 U.S.C. §102(e) based on U.S. Patent No. 6,429,952 (the Olbricht patent). The Olbricht patent and the rejection of Claims 9-11 and 25-26 are addressed separately below.

1. The Olbricht patent

The Olbricht patent discloses a system 10 that includes a terminal 12 with browser, an HTTP server 14, and a scanning device 16 (Fig. 1; col. 2, l. 52-57). The terminal 12 is connected to the server 14, which is in turn connected to the scanning device 16. Thus, the server 14 intermediates communication between the scanner and terminal browser. The server 14 includes a translator 18 to transform image code generated by device 16 into a form usable by the browser in terminal 12 (col. 2, lines 57-62). The Olbricht patent states that the server 16 can be incorporated into the scanning device 16. However, the Olbricht patent nowhere suggests the server 16 nor any of its disclosed functions can be incorporated into the terminal 12.

The system 10 of the Olbricht patent has two modes of operation: (1) graphics scanning (Fig. 2) and document scanning (Fig. 3)(col. 3, l.6-18). The scanning parameters that can be set in the graphics scanning mode include resolution (300dpi/600dpi/1200dpi), mode 1 (color/monochrome), encoding (TIFF/TIFF-F/JPEG/GIF), and compression (LZW, CCITT) (see Fig. 2). The scanning parameters that can be set in the document scanning mode include image size (letter/legal/A4/dimensional), resolution (300dpi/600dpi/1200dpi), mode 1 (color/monochrome), encoding (TIFF/TIFF-F/JPEG/GIF), and compression (LZW, CCITT), and user-designated file name (Fig. 3). The graphics mode can be used to scan a single page only and optionally provides a preview of the image to allow adjustment of scanning parameters (col. 3, l.21-23). In operation, the user enters the internet protocol (IP) address, or URL (uniform resource locator), of the scanner into the web browser. The browser retrieves an HTML-format page from the scanner which is displayed to the user with configuration parameters, optionally with preview in the case of graphics mode (col. 3, l. 25-30). The user selects desired parameters and clicks the scan button, causing

the device to scan the image and generate a data stream representative of the scanned image in the form of a file (col. 3, l.30-34). Thus, note that in the Olbricht patent, the specification of scan parameters occurs before, not after, actually scanning a document. The file is returned to user via the browser interface (col. 3, lines 33-34). The user may view the image from within the browser, and/or optionally may save the file via the browser (col. 3, l. 34-36). All control and data communications between terminal 12 and scanning device 16 pass through the server 14 which has image-to-image conversion software to convert output from device 16 to a format readable by the browser in terminal 12 (col. 3, l.53-56). As an example, the Olbricht patent states that the scanning device 16 can generate output in TIF format, which is converted by translator 18 into GIF or JPEG format for the browser of terminal 12 (col. 3, l. 56-65).

The Olbricht patent specifically notes that its system and method do not require that the terminal 12 have device-specific drivers for device 16 (col. 4, l.17-20). The Olbricht patent alleges that elimination of device-specific drivers is advantageous from the standpoint of clearing memory space on terminal 12, and eliminating the need to license device-specific drivers from the device manufacturers.

2. Claims 9-11 and 25-26 are Patentable over the Prior Art

By the present Amendment, the method of Claim 9 has been amended to recite an additional step of "at the client device, converting the start scan signal into a form compatible with a scanner." This amendment to Claim 9 emphasizes that it is the client device, not a server, that performs conversion of the start scan signal into a form usable by the scanner. In contrast, in the Olbricht patent, it is the translator 18 of the server 14, not the terminal 12, that performs translation of signals or data communicated between the terminal 12 and the scanning device 16. Because conversion of the start scan signal occurs in the client device in the method of Claim 9, a local server is not required by a user operating the client device 10 and scanner 11 in the claimed method. Users of the method of Claim 9 include medical coders who work at home to code medical or court documents for upload to a remote server of a medical or court facility for storage. Such coders generally have a client device such as a personal computer, and a scanner. However, coders do not generally have access to a home server or home network, which

can be complicated to own and operate, and significantly expensive. Nor in this context would medical service providers or courts find it acceptable to store medical or court records in the personal computers of home coders. In these contexts (as well as in others), the method of Claim 9 is particularly advantageous. The Olbricht patent teaches away from this limitation by suggesting that it is not advantageous to provide scanner drivers in its computer terminal 12, due to the space required in the terminal's memory, and also the possibility that a license may be required for such driver. Accordingly, a person of ordinary skill in the art would not have considered Claim 9 to lack novelty or to be obvious in view of the Olbricht patent at the time the invention was made. Accordingly, it is submitted that Claim 9 as amended patentably distinguishes over the prior art.

Claims 10-11 and 25-26 depend from Claim 9 and include all of the limitations of that claim plus additional limitations that are not disclosed in the prior art. For example, Claim 11 has been amended to recite an additional step, "at the client device, converting the document data into a form that can be displayed within the web browser of the client device." In contrast, in the Olbricht patent's method, image-to-image translation from the format of the scanning device 16 into the format of the terminal 12 occurs at the server 14. As previously mentioned, users of the claimed method may have access to a client device such as a personal computer and a scanner for performance of the method, but may lack access to a server or home network. Hence, the claimed method provides significant advantages over the prior art. Accordingly, it is submitted that Claim 11 is patentable over the prior art of record for at least this reason. In addition, claim 26 recites an additional step, "transmitting the document data from the client device to a server." The Olbricht patent discloses the opposite procedure: the HTTP server 14 transmits transformed image code derived from the scanning device 16 to the terminal 12. In the method of Claim 11, the ability to upload document data from the client device to a server has many advantages. For example, a person working from home can upload document data to a remote server for storage and archiving. This has many advantageous applications in the fields of healthcare for coding medical images, legal field for management of court filings and access to filed documents, as well as other fields. Thus, for this reason as well as those stated above with respect to Claim 9, it is submitted that

Claims 10-11 and 25-26 are patentable over the prior art of record. Withdrawal of the rejection of Claims 9-11 and 25-26 is requested.

Rejection of Claims 1-2, 27, 35, 41-42, 49-53, and 55-59 under 35 U.S.C. §103(a) based on the Olbricht patent in view of U.S. Patent No. 6,035,323 (the Narayen patent)

On Pages 5-6, Items 8-10 of the Office Action, Claims 1-2, 27, 35, 41-42, 49-53, and 55-59 were rejected under 35 U.S.C. §103(a) based on the Olbricht patent in view of U.S. Patent No. 6,035,323 (the Narayen patent). The Narayen patent and the reasons that Claims 1-2, 27, 35, 41-42, 49-53, and 55-59 are patentable over the prior art, are addressed separately below.

1. The Narayen Patent

The Narayen patent discloses a process for publishing a collection of digital media, typically in a media container, onto a network, such as a network operating according to the HTTP protocol (Figs. 1, 5; col. 8, l. 7-10). Images are acquired from a digital camera, a scanner, or a file storage device such as a CD ROM or hard disk (col. 8, l.12-14). An album or other media container is authored by selecting layout and style (col. 8, l.14-15). In the case of a picture album, the layout and style define the number of pictures per page and their positions therein (col. 8, l.15-20). The client computer system 121, 125 transmits the album format data to a server computer system 111 (col. 8, l. 21-24). The server computer system 111 stores the album format data into the picture database 110 (Fig. 1, col. 8, l. 38-40). The server computer system 111 also converts the images of the album format data into web-viewable format such as HTML to permit other client computer systems to access the images (col. 8, l.38-59). As a modification of the above-described system, the Narayen patent discloses that the client software program can automatically generate publishable web pages (HTTP format) without any server software (col. 16, l. 14-19). The client software is intended to work with an ISP's web server to publish the images (col. 16, l.19-22). The client software automatically generates HTML pages and links to the images and then performs an intelligent FTP file transfer that places the transferred files into the proper directories at the ISP's web server. From the graphical user interfaces of Figs. 12A-12C, 13, and 14A-14E of the Narayen patent, it is clear that the client software is not a web browser application.

2. **Claims 1-2, 27, 35, 41-42, 49-53 and 55-59 are Patentable over the Prior Art**

There is no teaching or suggestion in either the Olbricht or Narayen patents that would have led a person of ordinary skill in the art to combine their teachings as done in the Office Action. In the Olbricht patent, a terminal 12 transmits a signal to an HTTP server 14 which is converted and transmitted to a scanning device 16 to initiate scanning. The scanning device 16 generates data representing the scanned document, which is transmitted to the server 14 for conversion into a browser-viewable format. This browser-viewable format is then downloaded from the HTTP server 14 to the terminal 12. The requirement in the Olbricht patent to use the server 14 to intermediate communication between the terminal 12 and scanner 14 and convert scanned images into browser-viewable images imposes complexity and expense on the system which are beyond the means and needs of coders working at home, for example. In addition, downloading of scanned images from server 14 to terminal 12 in the Olbricht patent is the reverse flow of the claimed invention, which uploads document data representing scanned documents from the client device to the server. Thus, the Olbricht patent teaches away from the claimed invention. Although the Narayen patent suggests scanned images can be converted at a client computer system 121 for upload to a server computer system 111, the client software is a custom application, not a standard web browser that most users such as home coders already have on their client computers and already know how to use. Hence, the Narayen patent teaches away from both the Olbricht patent and the claimed invention by suggesting that a custom application, not a browser, should be used to arrange images in album format for upload to a server computer system 111. Therefore, there is no teaching or suggestion in either the Olbricht and Narayen patents as to how their teachings could be combined to obtain the claimed invention. To the contrary, the Olbricht and Narayen patents teach away from each other and the claimed invention. It is well-settled that the motivation to combine references must be found in the prior art and not in the Applicant's disclosure. *See, e.g., In re Fine*, 837 F.2d 1071, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988). Accordingly, the combination of Olbricht and Narayen is respectfully traversed. Withdrawal of the rejection is requested.

Claim 1 as amended recites a step of generating a display based on an HTML document using a web browser of a client device, in which the display has a document

display portion displaying document data, an index field portion permitting index data to be input in association with the document data, and a control portion that has a control element for generating a start scan signal to control a scanner and "...for generating ... a send data signal to transmit the document data with the index data displayed by the web browser from the client device to a server." The combination of the Olbricht and Narayen patents fails to disclose any client device capable of generating a display within the web browser, in which a user can control a scanner to scan a document, generate a display of the resulting document data, input index data, and control the client device to transmit the document data and index data to a remote server, all from within the web browser. In the medical and legal fields, for example, coders can use the web browser to scan and index documents, and upload the document data and index data to a remote server for storage and archiving. A coder can carry out these operations relatively quickly due to the fact that all necessary operations are executed within the browser. Because coders are often paid on the basis of the number of documents scanned, indexed, and uploaded, the method of Claim 1 provides significant advantages over the prior art. In addition, many healthcare providers and court systems have very significant backlogs of uncoded documents. The advantages made possible by the claimed invention permit such entities to address these backlogs much more effectively than would otherwise be possible. Moreover, neither the Olbricht patent, the Narayen patent, nor the combination thereof, disclose a display that include a display portion for document data, and index portion for inputting index data associated with the document data, and a control portion that can be used to carry out control of a scanner and upload to a server. Under liberal interpretation of the Olbricht patent, the scanning mode has a display with at most document data (actually, a preview version of the image), and a control portion for initiating a scan (Fig. 2). There is no index field portion in this display. In the document scanning mode (Fig. 3 of Olbricht), liberal interpretation can at most support an index field portion and control portion, and there is no display portion. In contrast, the method of Claim 1 states that the generated display includes a display portion, index field portion, and control portion. These are not disclosed in a single display in the Olbricht patent, nor for that matter are these features disclosed in the Narayen patent. Inclusion of the display portion, index field portion, and control portion in a single display of a web browser

greatly facilitates the operation of coding as previously described. Accordingly, Claim 1 would not have been obvious to a person of ordinary skill in the art. Thus, it is submitted that Claim 1 is patentable over the prior art.

Claim 2 depends from Claim 1 and thus includes all of the limitations of that Claim plus additional limitations that are not disclosed in the prior art. For example, Claim 2 recites that the control portion includes a control element used to alternately generate the start scan signal and the send data signal with respective successive activations of the control element. This feature of the claimed invention allows a coder, a person who indexes medical records or court documents from home, for example, to alternately scan and send document data with index data to a remote server for storage. Because such coders are often paid on the basis of each indexed document, the rate of coding documents can be improved by not having to move the client device's mouse to control the scan and upload operations. This feature is not disclosed in either of the Olbricht and Narayen patents. Accordingly, Claim 2 is patentable over the prior art for this reason in addition to those provided above with respect to Claim 1.

Claim 27 recites steps of "a) generating a start scan signal using a control element defined by a hypertext mark-up language (HTML) document displayed by a web browser of a user interface of a client device" and "b) at the client device, converting the start scan signal into a form compatible with the scanner." Neither the Olbricht nor Narayen patents disclose any method that generates a start scan signal from within a web browser of a client device, that is converted at the client device into a form compatible with a scanner, and is transmitted to the scanner to cause the scanner to scan a document. In the Olbricht patent, control signals generated by the browser of terminal 12 are transmitted to HTTP server 14 for conversion into a format usable by the scanning device 16. The Narayen patent fails to disclose any client application that is web-browser-based. These features of the claimed method make it possible for a user to control the scanner from within a web browser, without requiring an intermediate HTTP server to interface controls defined in the client device's web browser to a scanner. Thus, these features permit a user with a client device and scanner, but no local HTTP server, to effectively control a scanner.

In addition, Claim 27 as amended recites "f) transmitting the document data from the scanner to the client device," "g) receiving the document data at the client device," "h) at the client device, converting the document data into a form that can be displayed by the web browser of the client device," and "i) generating a display including the scanned document in the HTML document displayed within the web browser of the user interface of the client device, based on the document data converted in said step (h)." Neither the Olbricht nor Narayen patents disclose any method in which document data from a scanner is converted at a client device for display within a web browser. In the Olbricht patent, image-to-image conversion occurs in HTTP server 14, not terminal 12. In the Narayen patent, if conversion is performed at client computer system 121, it is done by an application which is clearly not a web browser according to Figs. 12A-12C, 13, and 14A-14E of the Narayen patent.

Furthermore, Claim 27 recites "j) inputting predetermined index data into a field defined in the HTML document displayed by the web browser of the user interface client device, the index data associated with document data displayed by the web browser" "k) generating a send data signal using a control element defined in the HTML document displayed by the web browser of the user interface of the client device," "l) transmitting the document data and index data from the client device to the server over an internetwork in response to the send data signal generated in said step (k)," "m) receiving the document data and index data at the server, and "n) storing the document data received in step (m) in association with the index data in a database of a data storage unit." Neither the Olbricht nor Narayen patents disclose these features of the claimed invention. In the Olbricht patent, the scanned image (document data) is not sent from the terminal 12 to the HTTP server 14. Rather, the server 14 sends the scanned image to the terminal 12. In the document scan mode (not the graphics scan mode), the file name for the scanned image is specified at the terminal 12 and appears to be sent to the server 14 when a scan is initiated so that the server can associate data for the scanned image with the file name given by the user at terminal 12. The Narayen patent discloses an application executed on client computer system 121, but it is not a web browser, and it cannot be used to enter index data associated with document data displayed within a web browser. Thus, to summarize, neither the Olbricht nor Narayen patents disclose any

client device in which it is possible to control a scanner, display document data, input index data, and upload the document data and index data to a server, all within a browser. This distinction is important in that coders and others using the claimed invention require efficiency in the process of scanning, indexing, and transmitting resulting indexed documents to a server. The fact that many users are already generally familiar with how to use a browser application further helps such users to employ the claimed method, as compared to use of a custom application like that of the Narayen patent that would require significant education to learn to use. The combination of the Olbricht and

Narayen patents fail to disclose these features of the claimed invention, and does not provide the advantages made possible thereby. Thus, Claim 27 as amended would not have been obvious to a person of ordinary skill in the art, and it is submitted that Claim 27 is patentable.

Claim 35 depends from Claim 27 and includes all of the limitations of that Claim. Thus, for at least the reasons stated above with respect to Claim 27, it is submitted that Claim 35 is patentable over the prior art.

Claim 41 recites a client device including processor, memory, input device, and display unit; a scanner coupled to the processor; and at least one server coupled to the processor. The Olbricht patent teaches away from this configuration because its HTTP server 14 is connected between the terminal 12 and the scanning device 16. Thus, one of ordinary skill in the art would not have been inclined to combine the Olbricht and Narayen patents as done in the Office Action in an effort to obtain the claimed invention, and such combination is respectfully traversed.

In addition, Claim 41 recites that the processor operates under a control program stored in the memory to generate a display based on a hypertext mark-up language (HTML) document on the display unit. The display generated by the HTML document includes a document display portion, an index field portion, and a control portion. The document display portion displays document data generated by scanning the document with the scanner, the index field portion permits index data to be input via the input device for association with the document data, and the control portion includes at least one control element for use in generating at least a start scan signal with the input device to initiate scanning of the document with the scanner and for use in generating a send

data signal with the input device to transmit the document data with the index data displayed by the web browser from the client device to the server. The combination of the Olbricht and Narayan patents fails to disclose any client device that can be used to control a scanner to generate document data, display the document data, input index data in association with the document data, and transmit the document data and index data to a server, all within the web browser of the client device. These features of the claimed invention make possible the efficient scanning, indexing, and uploading of documents to a server and is thus of considerable value to workers in the medical and legal industries, for example, as previously explained. Thus, Claim 41 is patentable over the prior art.

Claims 42 and 49 depend from Claim 41 as amended and include all of the limitations of that Claim plus additional limitations that are not disclosed by the prior art. For example, Claim 42 recites that the control element alternates between generating the start scan signal and the send data signal between alternate activations of the control element with the input device. This feature is not disclosed in either the Olbricht or Narayan patents, and it is advantageous in that a user of the client device can scan, index, and upload documents to a server without moving the input device. This creates efficiency in the processing of indexing or "coding" documents. Because many coders are paid on the basis of the number of scanned and indexed documents uploaded to a server, the efficiency made possible in Claim 41 is a significant advantage. Accordingly, a person of ordinary skill in the art would not have considered Claim 42 obvious in view of the Olbricht and Narayan patents. Thus, for this reason as well as for the reasons stated above with respect to Claim 41, it is submitted that Claims 42 and 49 are patentable over the prior art of record.

Claim 50 recites a system with a client device, a scanner coupled to the client device, a server coupled to the client device via a network, and a database storage unit coupled to the server. The Olbricht patent fails to disclose this configuration. Instead, the Olbricht patent discloses an HTTP server 14 connected between a terminal 12 and a scanning device 16. Hence, the Olbricht patent teaches away from the Narayan patent as well as Claim 50. Accordingly, the combination of the Olbricht and Narayan patents is respectfully traversed.

In addition, Claim 50 recites that the client device receives document data generated by the scanner, and has a user interface capable of generating a display by execution of an hypertext mark-up language (HTML) document. The display includes a document display portion, an index field portion, and a control portion. The document display portion displays document data generated by scanning the document with the scanner, the index field portion permits index data to be input via an input device of the client device for association with the document data, and the control portion includes at least one control element for use in generating at least a start-scan-signal with the input device to initiate scanning of the document with the scanner and for use in generating a send data signal with the input device to transmit the document data with the index data to the server. Claim 50 further recites that the server stores the document data and index data in the database storage unit. Neither the Olbricht nor Narayen patents, nor the combination thereof, disclose any client device that generates a display based on the execution of an HTML document, that can be used to control a scanner to generate document data, display the document data on the user interface, input index data associated with the document data, and transmit the document data and index data from the client device to a server for storage in a database. These features provide users such as home coders increased efficiency and throughput in scanning, indexing, and uploading documents for electronic storage. Accordingly, Claim 50 would not have been obvious to a person of ordinary skill in the art considering the Olbricht and Narayen patents at the time the invention was made. Thus, it is submitted that Claim 50 is patentable over the prior art of record.

Claims 51-53 depend from Claim 50 and include all of the limitations of that Claim. Thus, for the reasons stated above with respect to Claim 50, Claims 51-53 would not have been obvious to a person of ordinary skill in the art, and thus are patentable over the prior art.

Claim 55 recites a plurality of subsystems coupled to a network, having respective client devices capable of displaying document data included within respective hypertext mark-up language (HTML) documents displayed on corresponding web browsers thereof. At least one of the subsystems includes a scanner coupled to a respective client device. The scanner generates document data by scanning a document based on a first command

from a user entered into the browser of the client device coupled to the scanner. The client device receives the document data from the scanner and generates a display of the document data in the browser thereof. The client device transmits the document data based on a second command from the user entered into the browser of the client device. The system further comprises at least one server coupled to the network, that receives document data from the client device, and a database storage unit coupled to the server. The database storage unit stores the document data so that the subsystems can access the document data. Neither the Olbricht nor Narayan patents, nor the combination thereof, discloses any client device capable of controlling a scanner from within a browser, generating a display of the document data within the browser, and transmitting the document data to a server via a network for storage in a database storage unit. In the Olbricht patent, the HTTP server 14 first obtains the scanned image from the scanning device 16, then downloads the scanned image to the browser of a terminal 12. This flow is exactly the opposite in general principle from the system disclosed in the Narayan patent, as well as the system of Claim 50. Accordingly, one of ordinary skill in the art at the time the invention was made would not have been inclined to combine the disclosures of the Olbricht and Narayan patents as done in the Office Action, and the combination of the Olbricht and Narayan patents is respectfully traversed.

Moreover, even if combined, the combination of the Olbricht and Narayan patents fails to disclose any client device capable of controlling a scanner from within a browser, generating a display of the document data within the browser, and transmitting the document data from within the browser to a server via a network for storage in a database storage unit, as recited in Claim 55. It is particularly clear that neither the Olbricht nor Narayan patents discloses any client device that can transmit document data to a server for storage in a database storage unit, from within a browser. This feature of the claimed invention provides coders with the ability to scan, display, and upload documents with greater efficiency and speed than possible in the prior art, using a browser that such coders already know how to use. The combination of the Olbricht and Narayan patents fails to disclose these features of the claimed invention, nor does it provide the advantages made possible thereby. Accordingly, it is submitted that Claim 55 is patentable over the prior art of record.

Claim 56 depends from Claim 55 and includes all of the limitations of that Claim. Accordingly, for at least the reasons stated above with respect to Claim 55, it is submitted that Claim 56 is patentable over the prior art of record.

Claim 57 recites steps of "a) generating a display including a view of a scanned document with a browser of a client device based on document data derived from a scan of a document," "b) inputting predetermined index data into the browser of the client device," "c) generating a send data signal at the browser of the client device," "d) transmitting the document data and index data from the client device to the server over an internetwork in response to the send data signal generated in said step (c)," "e) receiving the document data and index data at the server," and "f) storing the document data in association with the index data in a database of a data storage unit." Olbricht teaches that a scanned image is received by a scanner from a scanning device, and is then downloaded to a browser of a terminal to permit a user to access the scanned image. Thus, Olbricht teaches away from the Narayen patent, and the combination of Olbricht and Narayen is respectfully traversed. Also, neither the Olbricht nor Narayen patents, nor the combination thereof, disclose any method in which the browser of a client device can be used to display document data, input index data, and transmit the document data and index data to a server for storage. These features of the claimed invention allow a coder to scan, index, and upload documents with relative efficiency and speed as compared to previous methods, using a browser that such coder generally knows how to use. Accordingly, Claim 57 would not have been obvious to a person of ordinary skill in the art at the time the invention was made, and thus it is submitted that such claim is patentable over the prior art of record.

Claims 58-59 depend from Claim 57 and include all of the limitations of that claim. Thus, for at least the reasons provided with respect to Claim 57, it is submitted that Claims 58-59 are patentable over the prior art.

Accordingly, it is submitted that Claims 1-2, 27, 35, 41-42, 49-53, and 55-59 are patentable over the prior art. Withdrawal of the rejection of these Claims under 35 U.S.C. 103(a), is respectfully requested.

Rejection of Claims 12-16 and 18 under 35 U.S.C. §103(a) based on the Olbricht patent in view of Guedalia (U.S. Patent No. 6,356,283)

On Page 12, Paragraph 2 of the Office Action, Claims 12-16 and 18 were rejected under 35 U.S.C. 112, Second Paragraph, based on the Olbricht patent in view of U.S. Patent No. 6,356,283 (the Guedalia patent).

1. The Guedalia Patent (U.S. Patent No. 6,356,283)

The Guedalia patent discloses methods and systems in which the client is displaying changing images as the user navigates (col.4, 1.9-1.1). The window region is partitioned in a number of sub-regions. The sub-regions are typically not visible to the user (col.4, 1.12-13). Whenever the user clicks on the image being displayed, the browser sends the mouse pointer coordinates back to a server (col.4, 1.13-15). The server then determines which sub-region the coordinates pertain to, and dynamically embeds a corresponding response image into the HTML page being returned to the client (col.4, 1.15-18). The client can interact with an image maps, by selecting one of server commands, such as "zoom-in," "zoom-out," "pan," and "reset" (col.4, 1.36-39). The command selected is embedded within an HTTP request dispatched from the client to the server, which the server can parse to extract the selected command (col.4, 1.39-41). The server uses this command to modify the HTML page, in order to update the image reference contained therein in accordance with the selected command (col. 4, 1.41-44). The Guedalia patent states that a key feature of its systems and methods is that it operates without special client software other than an Internet browser (col.4, 1.52-55).

2. Claims 12-16 and 18 are Patentable over the Combination of Olbricht in view of Guedalia

The Olbricht and Guedalia patents are similar in that they pertain to downloading of images from a server to a client. For this reason, these patents teach away from the claimed invention which teaches uploading of a scanned and indexed image using control elements defined within a browser. Thus, one of ordinary skill in the art would not have been motivated to combine the teachings of Olbricht and Guedalia as done in the Office Action. Accordingly, the combination of Olbricht in view of Guedalia is respectfully traversed because motivation to combine references used in an obviousness rejection must be provided by the prior art, and such motivation has not been provided in the Olbricht or Guedalia patents, nor in any other prior art.

Claims 12-16 and 18 depend directly from Claim 9 as amended and include all of the limitations of that Claim. Thus, because the Guedalia patent fails to disclose the deficiencies of the Olbricht patent noted above with respect to the rejection of Claim 9, it is submitted that Claims 12-16 and 19 patentably distinguish over the prior art. More specifically, Claim 9 recites a step of converting the document data from the scanner into a form compatible with the web browser of the client device. Neither the Olbricht nor Guedalia patents, nor the combination thereof, disclose this feature of the claimed invention. Moreover, the Olbricht and Guedalia patents, whether considered individually or in combination, fail to disclose any method in which a user can scan a document to generate data, display the document data, adjust the document data, input index data, and transmit the document data and index data to a server, as recited in Claims 12-16 and 19 as amended. These features permit document data to be adjusted to appropriate scale prior to upload to a server. In addition, a user can adjust the document data to better see the scanned document, a feature of particular value when the index data is to be derived from information contained within the displayed image of the document. Accordingly, Claims 12-16 and 19 would not have been obvious to a person of ordinary skill in the art considering the Olbricht and Guedalia patents at the time the invention was made. Thus, Claims 12-16 and 19 are patentable. Withdrawal of the rejection is requested.

Rejection of Claims 3-8, 29-33, 36, and 43-48 under 35 U.S.C. §103(a) based on Olbricht, Narayen, and Guedalia Patents

On Page 15, Item 12 of the Office Action, Claims 3-8, 29-33, 36, and 43-48 were rejected under 35 U.S.C. §103(a) based on the Olbricht, Narayen, and Guedalia patents.

There is no teaching or suggestion in the Olbricht, Narayen, and Guedalia patents that would have led a person of ordinary skill in the art to combine them as done in the Office Action. None of these patents discloses nor even suggests how their teachings could be combined to attain the features and advantages of the claimed invention. More specifically, none of these patents disclose a display within a web browser that can be used to scan, index, and upload documents to a server. In fact, Olbricht teaches downloading of a scanned image from an HTTP server 14 to a browser of a terminal 12, which teaches away from the claimed invention which uploads document data to a server. Liberally interpreted, Narayen at most teaches scanning of documents for input to a custom application that is not a browser, and thus does not disclose use of a browser to control a scanner and upload scanned documents. The Guedalia patent downloads images from a remote server to a browser depending upon where within an image a user has clicked with a mouse, which is the opposite in general principle from the claimed invention in which scanned document data and index data is uploaded to a server. Thus, all of these patents teach away from the claimed invention, and include no teaching, suggestion, or motivation that would have enabled a person of ordinary skill in the art to combine them in an effort to obtain the claimed invention. Accordingly, the combination of Olbricht, Narayen, and Guedalia is respectfully traversed for these reasons. Withdrawal of the rejection is requested for this reason.

Claims 3-8 depend from Claim 1 as amended and include all of the limitations of that claim. Thus, for the reasons stated above with respect to Claim 1 as amended, Claims 3-8 are patentable over the prior art. In addition, Claims 3-8 recite adjustment of displayed document data or selection of displayed document data from a set. Although Guedalia discloses adjustment of a displayed image by zooming in or out, the displayed image is not disclosed to be document data representing a scanned document. Hence, the Olbricht, Narayen, and Guedalia patents, whether considered alone or in combination, fail to disclose a method of generating a display on a web browser that includes a display

portion for document data, an index field portion for input of index data, and a control portion for controlling a scanner, adjusting displayed document data from the scanner, and uploading the document data and index data to a remote server. These features greatly increase speed and efficiency in operations such as the coding of medical or court records, and therefore attain a significant advantage not disclosed in the prior art. Accordingly, it is submitted that Claims 3-8 are patentable over the prior art.

Claims 29-33 and 36 depend from Claim 27 as amended and therefore include all of the limitations of that Claim. Thus, ~~for similar reasons to those stated above with~~ respect to Claim 27, it is submitted that Claims 29-33 are patentable over the prior art. In addition, Claims 29-33 recite that the display of the scanned document can be adjusted. This permits a coder to determine what the nature of the scanned document is and to determine information that may be contained within the scanned document, that may be helpful in indexing the document. Claim 36 recites generation of a selection signal at the client device to display the first, last, next or previous scanned documents for display. These features of the claimed invention enable a coder to review a related set of scanned documents to determine that each scanned document is readable. The coder can also determine certain information within a set of related documents for use indexing the documents for upload to a server. The Olbright, Narayen, and Guedalia patents fail to disclose these features of the claimed invention, nor do they provide the advantages made possible thereby. Accordingly, Claims 29-33 and 36 would not have been obvious to a person of ordinary skill in the art.

Claims 43-48 depend from Claim 41 as amended and include all of the limitations of that claim. Thus, for the reasons stated above with respect to the rejection of Claim 41, it is submitted that Claims 43-48 are patentable over the prior art. Moreover, Claims 43-48 recite that a control element can be used to adjust the scale of the document data. This can be used by a coder, for example, to adjust the display of a scanned document prior to upload to a server. In addition, the display adjustment can be used to assist the coder to better view a scanned document to determine information useful for inputting index data for association with the document data so that the scanned document can be properly archived in a remote server, for example. Accordingly, it is submitted that Claims 43-48 would not have been obvious to a person of ordinary skill in the art.

considering the Olbricht, Narayen, and Guedalia patents at the time the invention was made. Accordingly, it is submitted that Claims 43-48 are patentable over the prior art.

Rejection of Claims 19-24 and 37-40 under 35 U.S.C. §103(a) based on the Olbricht, Guedalia, and Narayen Patents

On Page 18, Item 13 of the Office Action, Claims 19-24 and 37-40 were rejected under 35 U.S.C. §103(a) based on the Olbricht, Guedalia, and Narayen patents.

There is no teaching or suggestion in the Olbricht, Guedalia, and Narayen patents that would have led a person of ordinary skill in the art to combine them as done in the Office Action. More specifically, none of these patents discloses nor suggests how their teachings could be combined to attain the features and advantages of the claims invention. None of these patents disclose a display within a web browser that can be used to scan, index, and upload documents to a server. In fact, Olbricht teaches downloading of a scanned image from an HTTP server 14 to a browser of a terminal 12, which teaches away from the claimed invention which uploads document data to a server. Liberally interpreted, Narayen at most teaches scanning of documents for input to an application that is not a browser, and does not disclose use of a browser to control a scanner and upload scanned documents. The Guedalia patent downloads images from a remote server to a browser depending upon where within an image a user has clicked with a mouse. Guedalia thus teaches away from the claimed invention which is used to upload scanned document data to a server. Thus, all of these patents teach away from the claimed invention, and include no teaching, suggestion, nor motivation that would have enabled a person of ordinary skill in the art to combine them in an effort to obtain the claimed invention. Accordingly, the combination of Olbricht, Narayen, and Guedalia is respectfully traversed on this basis, and withdrawal of the rejection is requested for this reason.

Claims 19-24 depend from Claim 9 as amended and include all of the limitations of that Claim. Thus, for the reasons stated above with respect to Claim 9, it is submitted that Claims 19-24 would not have been obvious to a person of ordinary skill in the art. In addition, Claims 19-24 recite additional limitations that are not disclosed in the prior art. For example, Claim 19 allows a coder to select different related documents within a set to determine information required to index the documents for upload to a server. Claim 23

recites that the alternately generates a scan mode for scanning a document, and send mode for transmitting document data to a server. As previously explained, this feature enables a user such as a home coder to work more efficiently and quickly in scanning and indexing documents for upload to a server. Accordingly, it is submitted that Claims 19-24 would not have been obvious to a person of ordinary skill in the art and thus are patentable.

Claims 37-40 depend from Claim 27 and include all of the limitations of that Claim. Thus, ~~for the reasons stated above with respect to Claim 27, it is submitted that~~ Claims 37-40 would not have been obvious to a person of ordinary skill in the art and thus are patentable. Moreover, Claims 37-40 recite additional limitations that are not disclosed by the prior art. For example, Claim 39 states that the control element toggles between generation of a start scan signal and a send data signal. This enables a coder to scan, index, and upload a scanned document much more quickly than otherwise possible since a mouse need not be moved to control the scanner and upload the scanned document. Thus, coding efficiency is enhanced in the claimed invention in a manner that would not have been obvious to a person of ordinary skill in the art considering Olbricht, Narayan, and Guedalia patents. Thus, Claims 37-40 would not have been obvious to a person of ordinary skill in the art, and thus are patentable. Withdrawal of the rejection of Claims 19-24 and 37-40 is requested.

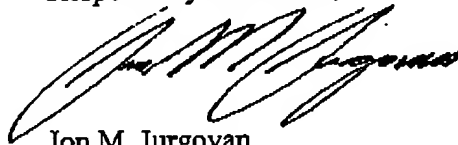
All statements in the Office Action not specifically admitted in this response are hereby respectfully traversed.

Summary

It is submitted that the Abstract and Claims submitted herewith are in proper form and begin on separate pages. It is also submitted that Claims 2-8 and 49 have been amended as necessary to overcome the rejection under 35 U.S.C. §112, Second Paragraph. Further, it is submitted that Claims 1-16, 18-27, 29-33, 35-53, and 55-59 are patentable over the prior art. Accordingly, reconsideration of Claims 1-16, 18-27, 29-33, 35-53, and 55-59 and an early Notice of Allowance are earnestly solicited.

If the Examiner has any questions regarding the subject application, the Examiner is requested to contact the undersigned at the telephone number provided below.

Respectfully Submitted,



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Version with Markings to Show Changes Made:

1. (Twice Amended) A method comprising the [steps] step of:
 - a) generating a display based on a hypertext mark-up language (HTML) document using a web browser of a user interface of a client device, the display including a document display portion, and index field portion, and a control portion, the document display portion including a display of document data, the index field portion permitting index data to be input to the user interface in association with the document data, and the control portion including at least one control element for generating a start scan signal to initiate scanning of [the] a document with [the] a scanner to generate the document data and a send data signal to transmit the document data with the index data displayed by the web browser from the client device to a server.
2. (Once Amended) A method as claimed in claim 1, wherein the control [element] portion includes a control element used to alternately generate the start scan signal and the send data signal with respective successive activations of the control element.
3. (Once Amended) A method as claimed in claim [2] 1, wherein the control [element] portion includes at least one control element [activatable] that can be activated to adjust the scale of the display of the document data.
4. (Once Amended) A method as claimed in claim 3, wherein the control element [is activatable] can be activated to increase the scale of the display of the document data ("zoom in").
5. (Once Amended) A method as claimed in claim 3, wherein the control element [is activatable] can be activated to decrease the scale of the display of the document data ("zoom out").

6. (Once Amended) A method as claimed in claim 3, wherein the control element [is activatable] can be activated to scale the document data to fit within the document display portion of the user interface.

7. (Once Amended) A method as claimed in claim 3, wherein the control element [is activatable] can be activated to scale the document data for display in the document display portion to the same scale as the scanned document.

8. (Once Amended) A method as claimed in claim 3, wherein the control [element] portion includes a control element to select document data from among a plurality of scanned documents for display on the document display portion of the display.

9. (Twice Amended) A method comprising the steps of:

a) generating a start scan signal using a control element defined by a hypertext mark-up language (HTML) document displayed by a web browser of a user interface of a client device;

b) at the client device, converting the start scan signal into a form compatible with a scanner;

[b)] c) transmitting the converted start scan signal from the client device to [a] the scanner;

[c)] d) receiving the converted start scan signal at the scanner; and

[d)] e) scanning a document with the scanner to generate document data, in response to the converted start scan signal received in said step [(c)] (d).

11. (Once Amended) A method as claimed in claim 9, further comprising the steps of:

[e)] f) transmitting the document data from the scanner to the client device;

[f)] g) receiving the document data at the client device; [and]

h) at the client device, converting the document data into a form that can be displayed within the web browser of the client device;

[g)] i) generating a display including the scanned document on the [user interface] web browser of the client device, based on the document data [received in said step (f)] converted in step (h).

12. (Once Amended) A method as claimed in claim 11, further comprising the step of:

[h)] j) adjusting the display of the [scanned] document data via the user interface.

13. (Once Amended) A method as claimed in claim 12, wherein the adjusting of said step [(h)] (i) includes increasing the scale of the display of the scanned document ("zooming in") on the user interface.

14. (Once Amended) A method as claimed in claim 12, wherein the adjusting of said step [(h)] (i) includes decreasing the scale of the display of the scanned document ("zooming out") on the user interface.

15. (Once Amended) A method as claimed in claim 12, wherein the adjusting of said step [(h)] (i) includes scaling the display of the scanned document to fit within the document display portion of the display of the user interface of the client device.

16. (Once Amended) A method as claimed in claim 12, wherein the adjusting of said step [(h)] (i) includes generating the display of the scanned document on the user interface of the client device with the same scale as the scanned document.

18. (Once Amended) A method as claimed in claim 12, further comprising the step of:

[h)] k) generating a multiscan mode signal at a user interface of the client device, said steps [(d)-(f)] ~~(e)-(g)~~ repeatedly performed to generate document data for a plurality of documents, based on the multimode scan signal.

19. (Once Amended) A method as claimed in claim 18, further comprising the steps of:

[i)] l) generating a selection signal at the client device indicating at least one of the first, last, next and previous-scanned documents-for-display; and

[j)] m) displaying the document data for one of the scanned documents, based on the selection signal generated in said step [(i)] (l).

20. (Twice Amended) A method as claimed in claim 12, further comprising the steps of:

[h)] k) inputting predetermined index data into an index field defined by the HTML document displayed by the web browser of the user interface of the client device;

[i)] l) generating a send data signal using the control element defined by the HTML document displayed by the web browser of the user interface of the client device;

[j)] m) transmitting the document data and index data from the client device to the server over an internetwork in response to the send data signal generated in said step [(i)] (l);

[k)] n) receiving the document data and index data at the server; and

[l)] o) storing the document data in association with the index data in a database of a data storage unit.

23. (Once Amended) A method as claimed in claim 20, wherein the start scan signal and the send data signal are input by a user via a common control element of the user interface that toggles between a first scan mode for the performance of said step (a) and a second send mode for the performance of said step [(i)] (m).

24. (Once Amended) A method as claimed in claim 20, wherein the start scan signal is input by a user via a first control element of the user interface for a first scan mode in the performance of said step (a) the send data signal is input by a user via a second control element of the user interface in the performance of said step [(i)] (m).

25. (Once Amended) A method as claimed in claim 9, further comprising the [steps] step of:

e) ~~transmitting the document data from the [scanner]~~ client device to a -----
server.

26. A method as claimed in claim 9, further comprising the [steps] step of:

e) transmitting the document data from the scanner to a server.

27. (Twice Amended) A method comprising the steps of:

a) generating a start scan signal using a control element defined by a hypertext mark-up language (HTML) document displayed by a web browser of a user interface of a client device;

b) at the client device, converting the start scan signal into a form compatible with the scanner;

[b)] c) transmitting the converted start scan signal from the client device to a scanner;

[c)] d) receiving the converted start scan signal at the scanner;

[d)] e) scanning a document with the scanner to generate document data, in response to the converted start scan signal received in said step [(c)] (d);

[e)] f) transmitting the document data from the scanner to the client device;

[f)] g) receiving the document data at the client device;

h) at the client device, converting the document data into a form that can be displayed by the web browser of the client device;

[g)] i) generating a display including the scanned document in the HTML document displayed within the web browser of the user interface of the client device, based on the document data [received] converted in said step [(f)] (h);

[h)] j) inputting predetermined index data into a field defined in the HTML document displayed by the web browser of the user interface of the client device, the index data associated with document data displayed by the web browser;

[i)] k) generating a send data signal using a control element defined in the HTML document displayed by the web browser of the user interface of the client device;

[j)] l) transmitting the document data and index data from the client device to the server over an internetwork in response to the send data signal generated in said step [(i)] (k);

[k)] m) receiving the document data and index data at the server; and

[l)] n) storing the document data received in step [(k)] (m) in association with the index data in a database of a data storage unit.

29. (Twice Amended) A method as claimed in claim 27, further comprising the step of:

[m)] o) adjusting the display of the scanned document via the user interface.

30. (Twice Amended) A method as claimed in claim 29, wherein the adjusting of said step [(m)] (o) includes increasing the scale of display of the scanned document ("zooming in") on the user interface.

31. (Twice Amended) A method as claimed in claim 29, wherein the adjusting of said step [(m)] (o) includes decreasing the scale of the display of the scanned document ("zooming out") on the user interface.

32. (Twice Amended) A method as claimed in claim 29, wherein the adjusting of said step [(m)] (o) includes scaling the display of the scanned document to fit within the document display portion of the display of the user interface of the client device.

33. (Twice Amended) A method as claimed in claim 29, wherein the adjusting of said step [(m)] (o) includes generating the display of the scanned document on the user interface of the client device with the same scale as the scanned document.

35. (Twice Amended) A method as claimed in claim 29, further comprising the step of:

~~[(m)]~~ (o) generating a multiscan mode signal ~~[at a] from the web browser of~~
[a] the user interface of the client device, said steps [(d) - (f)] (e) - (g) repeatedly performed to generate document data for a plurality of documents, based on the multimode scan signal.

36. (Twice Amended) A method as claimed in claim 29, further comprising the steps of:

~~[(m)]~~ (o) generating a selection signal within the web browser at the client device indicating at least one of the first, last, next and previous scanned documents for display; and

~~[(n)]~~ (p) displaying the document data for one of the scanned documents, based on the selection signal generated in said step [(i)] (o).

38. (Once Amended) A method as claimed in claim 29, wherein the document data and the index data are transmitted in said step [(j)] (l) between the server and client device in hypertext transfer protocol (HTTP) format.

39. (Once Amended) A method as claimed in claim 29, wherein the start scan signal and the send data signal are input by a user via a common control element of the user interface that toggles between a first scan mode for the performance of said step (a) and a second send mode for the performance of step [(i)] (l).

40. (Once Amended) A method as claimed in claim 29, wherein the start scan signal is input by a user via a first control element of the user interface for a first scan

mode in the performance of said step (a), and the send data signal is input by a user via a second control element of the user interface in the performance of said step [(i)] (1).

41. (Twice Amended) A system for use with at least one document, the system comprising:

a client device including

a processor;

-----a-memory-coupled to the processor;-----

an input device coupled to the processor;

a display unit coupled to the processor;

a scanner coupled to the processor; and

at least one server coupled to the processor,

the processor operating under a predetermined control program stored in the memory to generate a display based on a hypertext mark-up language (HTML) document on the display unit, the display generated by the HTML document including a document display portion, an index field portion, and a control portion, the document display portion displaying document data generated by scanning the document with the scanner, the index field portion penmitting index data to be input via the input device for association with the document data, and a control portion including at least one control element for use in generating at least a start scan signal with the input device to initiate scanning of the document with the scanner and for use in generating a send data signal with the input device to transmit the document data with the index data to the server.

49. (Once Amended) A system as claimed in claim 41, wherein the server receives document data and index data from the [server] client device, the system further comprising:

a database storage unit coupled to the server, for storing the index data in association with the document data from the processor.

50. (Twice Amended) A system used to scan a document, the system coupled to a network, the system comprising:

a client device;
a scanner coupled to the client device;
a server coupled to the client device via the network; and
a database storage unit coupled to the server,

the client device receiving document data generated by the scanner by scanning a document, the client device having a user interface capable of generating a display by execution of an hypertext mark-up language (HTML) document by the [processor] client device, the display including a document display portion, an index field portion, and a control portion, the document display portion displaying document data generated by scanning the document with the scanner, the index field portion permitting index data to be input via an input device of the client device for association with the document data, and [a] the control portion including at least one control element for use in generating at least a start scan signal with the input device to initiate scanning of the document with the scanner and for use in generating a send data signal with the input device to transmit the document data with the index data to the server, the server storing the document data and index data in the database storage unit.

55. (Twice Amended) A system coupled to a network, the system operated by at least one user, the system comprising:

a plurality of subsystems coupled to the network, the subsystems having respective client devices capable of displaying document data included within respective hypertext mark-up language (HTML) documents displayed on corresponding web browsers thereof, at least one of the subsystems including a scanner coupled to a respective client device, the scanner generating the document data by scanning a document based on a first command from a user entered into the browser of the client device coupled to the scanner, the client device receiving the document data from the scanner and generating a display of the document data in the browser thereof, the client device transmitting the document data based on a second command from the user entered into the browser of the client device;

at least one server coupled to the network, the server receiving the document data from the client device; and

a database storage unit coupled to the server, the database storage unit storing the document data so that the subsystems can access the document data.

57. (Once Amended) A method comprising the steps of:

a) generating a display including a view of a scanned document with a browser of a client device based on document data derived from a scan of a document;

b) inputting predetermined index data into the [user interface] browser of the client device;

c) generating a send data signal at the [user interface] browser of the client device;

d) transmitting the document data and index data from the client device to the server over an internetwork in response to the send data signal generated in said step (c);

e) receiving the document data and index data at the server; and

f) storing the document data in association with the index data in a database of a data storage unit.